

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Vernon M. Williams

Serial No.: 09/511,986

Filed: February 24, 2000

For: STEREOLITHOGRAPHICALLY
FABRICATED CONDUCTIVE
ELEMENTS, SEMICONDUCTOR DEVICE
COMPONENTS AND ASSEMBLIES
INCLUDING SUCH CONDUCTIVE
ELEMENTS, AND METHODS

Confirmation No.: 6129

Examiner: O. Nadav

Group Art Unit: 2811

Attorney Docket No.: 2269-4208US

VIA ELECTRONIC FILING
August 18, 2008

REPLY BRIEF

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sirs:

This REPLY BRIEF, which is being submitted pursuant to the requirements of 37 C.F.R. § 41.41, follows the Examiner's Answers of June 17, 2008, and July 1, 2008, the periods for to responding to which expire on Monday, August 18, 2008, and Tuesday, September 2, 2008, respectively, as August 17, 2008, fell on a Sunday and September 1, 2008, falls on a Federal holiday. 37 C.F.R. § 1.7.

VII. ARGUMENT

All of the issues that have been raised by the Examiner have been fully addressed in the APPEAL BRIEF. Nonetheless, two of those issues are further addressed in this REPLY BRIEF.

A. DEFINITION OF THE VERB “CONTACT”

In rejecting claims 64-66, 68, 75, 77-79, and 81-83 under 35 U.S.C. § 102(e) for being drawn to subject matter that is purportedly anticipated by the subject matter described in Matsuki, the Examiner has argued that the meaning of the verb “contact,” as used in independent claims 64 and 75, somehow differs from that term’s well known ordinary meaning, and should be read much more broadly than warranted by the ordinary meaning of that term. Specifically, the Examiner has argued that, although independent claim 64 requires that conductive elements “contact” the contacts of a carrier, independent claim 64 doesn’t actually require that “the conductive elements... make direct physical contact with the contacts.” Examiner’s Answer, page 11. *Cf.* American Heritage Dictionary of the English Language, Fourth Ed. (2006) (which defines “contact” as “A coming together or touching, as of objects or surfaces”). From his argument, it is apparent that the Examiner has defined the term “contact” in a manner that is contrary to that term’s ordinary meaning.

According to M.P.E.P. § 2173.05(a)(III), a term that is used in a claim may only be defined in a manner contrary to that term’s ordinary meaning only if “the written description clearly redefines the [term].” The written description of the above-referenced application does not define the verb “contact” in a manner contrary to that term’s ordinary meaning, nor has the

Examiner asserted as much. Further, the Examiner has not provided any other support for his unduly broad reading of the term “contact.”

With respect to the rejections that have been based upon the disclosure of Matsuki, it is respectfully submitted that since there are solder balls 10 between the conductive elements 7 and contacts 11 of Matsuki, the conductive elements 7 and contacts 11 do not come together or touch each other. Thus, the conductive elements 7 and the contacts 11 do not contact one another. As such, Matsuki does not anticipate each and every element of independent claim 64 or of independent claim 75, as would be required for the Board to affirm the 35 U.S.C. § 102(e) rejection of these claims, as well as the 35 U.S.C. § 102(e) rejections of their respective dependent claims 65, 66, and 68 and 75, 77-79, and 81-83.

B. “PLURALITY OF... LAYERS” LIMITATIONS

The Examiner has characterized the “plurality of... layers” limitation that appears in several of the claims as “process limitation[s].” *See, e.g.*, Examiner’s Answer, page 14. This characterization is uncalled for, as these claim limitations are clearly drawn to structures that include multiple layers. As such, it would be improper to ignore these claim limitations in determining whether or not the claims in which they appear are patentable.

XI. CONCLUSION

It is respectfully submitted that:

(A) Claims 64-66, 68, 75, 77-79, and 81-83 are each allowable under 35 U.S.C. § 102(e) for reciting subject matter which is not anticipated by the disclosure of Matsuki;

(B) Claims 47, 50-54, 58, 59, 62, 63, 110, 112-116, 119, 120, 123, and 124 are each allowable under 35 U.S.C. § 103(a) for reciting subject matter which is patentable over teachings from Sullivan, in view of teachings from Fudim;

(C) Claims 48, 55, 56, 60, 61, 111, 117, 118, 121, and 122 recite subject matter which, under 35 U.S.C. § 103(a), is patentable over the subject matter taught in Sullivan, Fudim, and Lee, taken separately or in combination;

(D) Claims 67 and 76 are both allowable under 35 U.S.C. § 103(a) for reciting subject matter which is nonobvious over the subject matter taught in Matsuki and Lee;

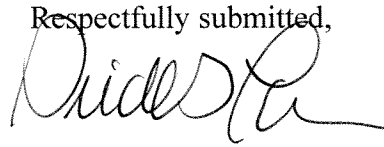
(E) Claims 75, 84, and 85 are allowable under 35 U.S.C. § 103(a) for being directed to subject matter which is patentable over the teachings of Congleton and Matsuki; and

(F) Claims 80 and 86-90, which were withdrawn from consideration pursuant to a species election requirement, should be considered and allowed, as independent claim 75 is generic to both the elected species and the species to which claims 80 and 86-90 belong.

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Accordingly, the rejections of claims 47, 48, 50-56, 58-68, 75-79, 81-85, and 110-124 should be reversed, and each of these claims, as well as claims 80 and 86-90, should be allowed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brick G. Power", written over the typed name.

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